

9/22/03



FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF GENERAL COUNSEL

memorandum

TO Director, Reference Information Center
Chief, Wireline Competition Bureau

FROM  Daniel M. Armstrong
Associate General Counsel

SUBJECT *United States Telecom Association, et al v FCC & USA*, D.C. Circuit No 03-1263, *Verizon Telephone Companies, et al v FCC & USA*, D.C. Circuit No 03-1264, *Qwest Communications International Inc v FCC & USA*, D.C. Circuit No 03-1266, *Conversent Communications, LLC v FCC & USA*, First Circuit No 03-2271, *AT&T Corp v FCC & USA*, Second Circuit No 03-40474, *SNiP LINK, LLC v FCC & USA*, Third Circuit No 03-3711, *BridgeCom International, Inc v FCC & USA*, Third Circuit No 03-3782, *WorldCom, Inc v FCC & USA*, Fourth Circuit No 03-2090, *Allegiance Telecom, Inc v FCC & USA*, Fifth Circuit No 03-60738, *Sage Telecom, Inc v FCC & USA*, Fifth Circuit No 03-60741, *LDMI Telecommunications, Inc v FCC & USA*, Sixth Circuit No. 03-4183, *Focal Communications Corp v FCC & USA*, Seventh Circuit No 03-3358, *Eschelon Telecom, Inc v FCC & USA*, Eighth Circuit No. 03-3212, *Covad Communications Co v FCC & USA*, Ninth Circuit No 03-73172, and *Z-Tel Communications, Inc v FCC & USA*, Eleventh Circuit No 03-14539-E
Filing of Petitions for Review in the United States Courts of Appeals for the District of Columbia, First, Second, Third, Fourth, Fifth, Sixth, Seventh, Eighth, Ninth and Eleventh Circuits

DATE September 23, 2003

This is to advise you that on September 3, 2003, the United States Telecom Association, *et al* and Verizon Telephone Companies, *et al* filed Petitions for Review in the D.C. Circuit, on September 4, 2003, Qwest Communications International Inc also filed in the D.C. Circuit and Covad Communications Co filed in the Ninth Cir , on September 5, 2003, AT&T Corp filed in the Second Circuit, on September 8, 2003, Focal Communications Corp filed in the Seventh Circuit and Eschelon Telecom, Inc filed in the Eighth Circuit; on September 9, 2003, SNiP LINK, LLC filed in the Third Circuit, WorldCom, Inc. filed in the Fourth Circuit, LDMI Telecommunications, Inc filed in the Sixth Circuit and Z-Tel Communications, Inc filed in the Eleventh Circuit, on September 11, 2003, Conversent Communications, LLC filed in the First Circuit and Allegiance Telecom, Inc filed in the Fifth Circuit; on September 12, 2003, Sage Telecom, Inc also filed in the Fifth Circuit, and, on September 19, 2003, BridgeCom International, Inc filed in the Third Circuit, pursuant to 47 U.S.C. § 402(a), of the following order *In the Matter of Review of the Section 251 Unbundling Obligations of Incumbent Local Exchange Carriers, Implementation of the Local Competition Provisions of*

the Telecommunications Act of 1996, Deployment of Wireline Services Offering Advanced Telecommunications Capability, CC Docket Nos. 01-338, 96-98, and 98-147, FCC 03-36 (rel. August 21, 2003)

Petitioners challenge various aspects of the Commission's revised rules concerning the unbundling of network elements under Sections 251(c)(1) and 251(d)(2) of the Communications Act.

The Courts have docketed these cases as Nos. 03-1263, 03-1264, 03-1266, 03-2271, 03-40474, 03-3711, 03-2090, 03-60738, 03-60741, 03-4183, 03-3358, 03-3212, 03-73172, 03-14539-E and 03-3782.

On September 16, 2003, the Judicial Panel on Multidistrict Litigation randomly selected the United States Court of Appeals for the Eighth Circuit in which to consolidate these petitions for review.

The attorneys assigned to handle the litigation of these cases are James M. Carr, Laurence N. Bourne, John E. Ingle and Joel Marcus.